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Division

06 Burglary

Australian and New Zealand Standard Offence Classification (ANZSOC)

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Description

Burglary is defined as the unlawful entry with the intent to commit a further offence, such as stealing or causing property damage. Entry may be forced or unforced. "Break and enter" offences are considered burglary whether or not theft or property damage occurs.

Where offences cannot be disaggregated into burglary of a dwelling and burglary of a non-residential building, offences should be coded as 0691 Other aggravated burglary or 0692 Other non-aggravated burglary. Where disaggregation by either location or aggravating factors is not possible, offences should be coded to 0690 Burglary not further defined.

Subdivision

061 Burglary of a dwelling

Description

This subdivision includes burglary, unlawful entry with intent, or "break and enter" offences that occur in a dwelling.

A dwelling is defined as a structure which is intended for people to live in. This includes unoccupied dwellings.

Where it is unknown if an aggravating factor applies, the offence should be coded to 0610 Burglary of a dwelling, not further defined.

0611 Aggravated burglary of a dwelling

Aggravated burglary is burglary where there was an aggravating factor. These factors vary by jurisdiction and may include where the offender:

- Acts in company
- Carries a weapon or explosives
- Claims to have weapons or explosives
- Enters a dwelling when they expect or know the victim to be home
- Threatens a victim

A dwelling is a structure which is intended for people to live in.

Inclusions:

- Aggravated burglary of a boat, ship, or other vehicle that is used as a dwelling
- "Break and enter" offences of a dwelling and have an aggravating factor
- Home invasion with an aggravating factor
- Unlawful entry to a dwelling with intent to commit a further offence, such as theft or damage, where there is an aggravating factor
- Other aggravated burglary of a dwelling

Exclusions:

- Possess tools or materials used for theft or burglary – coded to 1211 Criminal intent
- Trespass without intent to commit a further crime – coded to 1221 Trespass

0612 Non-aggravated burglary of a dwelling

Non-aggravated burglary is a burglary where there are no aggravating factors. A dwelling is a structure which is intended for people to live in.

Inclusions:

- "Break and enter" offences that occur in a dwelling, where there is no aggravating factor
- Home invasion, where there is no aggravating factor
- Non-aggravated burglary of a boat, ship or other vehicle that is used as a dwelling

- Unlawful entry to a dwelling with intent to commit an offence, where there is no aggravating factor
- Other non-aggravated burglary of a dwelling

Exclusions:

- Possess tools or materials used for theft or burglary – coded to 1211 Criminal intent
- Steal from a dwelling where the offender entered lawfully – coded to 0720 Theft from a person
- Trespass without intent to commit a further crime – coded to 1221 Trespass

Subdivision

062 Burglary of a non-residential building

Description

This subdivision includes burglary, unlawful entry with intent, or “break and enter” offences that occur in a non-residential building.

A non-residential building is any building that is not a dwelling. This may be a retail or commercial building, factory, storage building, barn, hall, stadium, theatre, recreation centre, place of worship, or building used for the provision of education, healthcare, or other services.

Where it is unknown if an aggravating factor applies, the offence should be coded to 0620 Burglary of a non-residential building, not further defined.

0621 Aggravated burglary of a non-residential building

Aggravated burglary is burglary where there was an aggravating factor. These factors vary by jurisdiction and may include where the offender:

- Acts in company
- Carries a weapon or explosives
- Claims to have weapons or explosives
- Enters the building when they expect or know a victim to be present
- Threatens a victim

A non-residential building is a building that is not intended for people to live in.

Inclusions:

- “Break and enter” a non-residential building with intent to commit an offence, where there is an aggravating factor
- Ram raid, or “smash and grab” in retail premises, where there is an aggravating factor
- Other aggravated burglary of a non-residential building

Exclusions:

- Aggravated burglary of a space that is neither a building nor a dwelling – coded to 0691 Other aggravated burglary
- Possess tools or materials used for theft or burglary – coded to 1211 Criminal intent
- Robbery of a retail premises (not involving illegal entry to the building) – coded to groups within 051 Robbery
- Shoplifting – coded to 0730 Theft from retail premises
- Trespass without intent to commit a further crime – coded to 1221 Trespass

0622 Non-aggravated burglary of a non-residential building

Non-aggravated burglary is a burglary where there are no aggravating factors. A non-residential building is a building that is not intended for people to live in.

Inclusions:

- “Break and enter” of a non-residential building, where there is no aggravating factor
- Other non-aggravated burglary of a non-residential building

Exclusions:

- Non-aggravated burglary of a space that is neither a building nor a dwelling – coded to 0692 Other non-aggravated burglary
- Non-aggravated burglary where it is unknown if the building was a dwelling – coded to 0692 Other non-aggravated burglary
- Possess tools, materials or instruments used for theft or burglary – coded to 1211 Criminal intent
- Shoplifting – coded to 0730 Theft from retail premises
- Steal from private property that does not involve illegal entry – coded in the relevant groups within 07 Theft
- Trespass without intent to commit a further crime – coded to 1221 Trespass

Subdivision

069 Other burglary offences

Description

This subdivision includes burglary offences where the location of the burglary is unknown or not elsewhere classified.

Where neither aggravation nor location is known, the offence should be coded to 0690 Other burglary offences, not further defined.

0691 Other aggravated burglary

Aggravated burglary is burglary where there was an aggravating factor. These factors vary by jurisdiction and may include where the offender:

- Acts in company
- Carries a weapon or explosives
- Claims to have weapons or explosives
- Threatens a victim

This group includes aggravated burglary offences where legislation extends beyond buildings, or where it is unknown if the structure is a dwelling.

Inclusions:

- Aggravated burglary of a structure that is not a dwelling or building
- Aggravated burglary where the type or use of the structure is unknown

Exclusions:

- Aggravated burglary of a dwelling – coded to 0611 Aggravated burglary of a dwelling
- Aggravated burglary of a non-residential building – coded to 0621 Aggravated burglary of a non-residential building

0692 Other non-aggravated burglary

Non-aggravated burglary is a burglary where there are no aggravating factors. This group includes non-aggravated burglary offences where legislation extends beyond buildings, or where it is unknown if the structure is a dwelling.

Inclusions:

- Non-aggravated burglary of a structure that is not a dwelling or building
- Non-aggravated burglary where the type or use of the structure is unknown

Exclusions:

- Non-aggravated burglary of a dwelling – coded to 0612 Non-aggravated burglary of a dwelling
- Non-aggravated burglary of a non-residential building – coded to 0622 Non-aggravated burglary of a non-residential building
- Possess tools, materials, or instruments used for theft or burglary – coded to 1211 Criminal intent
- Steal something from a public place – coded to the relevant groups in 07 Theft
- Theft from private property that does not involve unlawful entry – coded to the relevant groups within 07 Theft
- Trespass without intent to commit a further crime – coded to 1221 Trespass